

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOSE MARTE-CASTRO,	:	No. 3:17cv2187
Petitioner	:	
	:	(Judge Munley)
v.	:	
	:	(Magistrate Judge Saporito)
CLAIR DOLL, as Warden of	:	
York County Prison, et al.,	:	
Respondents	:	

.....

ORDER

AND NOW, to wit, this 10th day of May 2018, we have before us for disposition Magistrate Judge Joseph Saporito's report and recommendation (Doc. 17), which proposes that the habeas corpus petition in this case be dismissed as moot. A review of the record demonstrates that the United States has filed a suggestion of mootness stating that immigration officials released petitioner from ICE custody on April 18, 2018. (Doc. 16).

No objections to the report and recommendation have been filed, and the time for such filing has passed. Therefore, in deciding whether to adopt the report and recommendation, we shall determine if a review of the record evidences plain error or manifest injustice. FED. R. CIV. P. 72(b) 1983 Advisory Committee Notes ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record to accept the

recommendation"); see also 28 U.S.C. § 636(b)(1); Sullivan v. Cuyler, 723 F.2d 1077, 1085 (3d Cir. 1983).

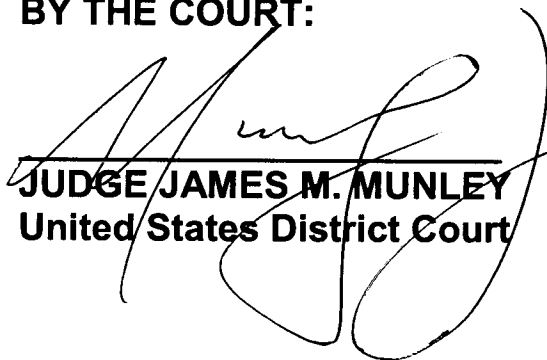
After a careful review, we find neither a clear error on the face of the record nor a manifest injustice, and therefore, we shall adopt the report and recommendation. It is hereby **ORDERED** as follows:

1) The magistrate judge's report and recommendation (Doc. 17) is **ADOPTED**;

2) The petition is **DISMISSED AS MOOT**; and

3) The Clerk of Court is directed to close this case.

BY THE COURT:


JUDGE JAMES M. MUNLEY
United States District Court